

MAR 23 2007



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FAX TRANSMISSION COVER SHEET**To:** Examiner Tung T. VO**Telephone:**

Art Unit: 2621

Mail Stop: Amendment**Commissioner for Patents****March 23, 2007****Fax Number:****Centralized Facsimile Number
U.S. Patent & Trademark Office****(571) 273-8300**

From: Andrew B. Schwaab
Reg. No. 38,611
Tel: 650-833-2258

**Attorney-Docket
Number:**

352000-902002 (previously
2102484-902002)

Re: U.S. Patent Application No. 10/617,625
Filed: July 10, 2003
Applicant/Inventor(s): Ulug BAYAZIT
Entitled: METHOD AND APPARATUS FOR ESTIMATING AND
CONTROLLING THE NUMBER OF BITS OUTPUT FROM A VIDEO CODER

Pages: 10 - (including this form)

Originals: will not follow

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Message: Please make a matter of record the attached.

Enclosed are the following documents:

1. (This) Fax Cover/Transmittal/Certificate of Transmission under 37 CFR 1.8 (1 pg);
2. Transmittal Form (PTO/SB/21) (1 pg); and
3. Response to Notice of Non-Compliant Amendment (37 CFR 1.121) (8 pgs).

Certificate of Facsimile Transmission under 37 CFR 1.8

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Mail Stop: Amendment, Commissioner for Patents, Alexandria, VA 22313-1450 on:

March 23, 2007.
Maria Paula Kovacs

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PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/617,625

Filing Date

July 10, 2003

First Named Inventor

Ulug BAYAZIT

Art Unit

2621

Examiner Name

Tung T. VO

Attorney Docket Number

352000-902002

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment/Reply/Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
1. Response to Notice of Non-Compliant Amendment of 2-23-07 (8 pgs; and
2. Fax Cover Sheet & Certificate of Transmission under 37 CFR 1.8 (1 pg).

Remarks

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 07-1896 (Docket No. 352000-902002).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

DLA PIPER US LLP

Signature

Printed name

ANDREW(B) SCHWAAB

Date

March 23, 2007

Reg. No.

38,611

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Maria Paula Kovacs

Date

March 23, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EM17216421.1

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Appl. No.: 10/617,625
Response to Notice filed March 23, 2007
Replying to Notice of Non-Compliant Amendment
of Feb. 23, 2007

MAR 23 2007 PATENT
Attorney Docket No. 352000-902002
Customer No.: 26379

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/617,625	Confirmation No.	4266
Applicant	:	Ulug Bayazit		
Filed	:	July 10, 2003		
TC/A.U.	:	2621		
Examiner	:	Tung T. VO		
Docket No.	:	352000-902002		
Customer No.	:	26379		

Title: METHOD AND APPARATUS FOR ESTIMATING AND CONTROL-
LING THE NUMBER OF BITS OUTPUT FROM A VIDEO CODER

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment of February 23, 2007, please enter the claims below. In reply to the restriction/election requirement of January 16, 2007, Applicants canceled claims 24-27 without prejudice or disclaimer, and provisionally elected claims 17-22 with traverse (i.e., withdrew claims 1-16 and 23).

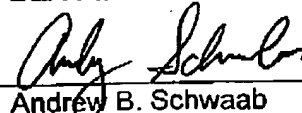
Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896 referencing Attorney Docket No. 352000-902002.

Respectfully submitted,
DLA PIPER U.S. LLP

Dated: March 23, 2007

By



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